

Service Date: November 16, 2006

DEPARTMENT OF PUBLIC SERVICE REGULATION
BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MONTANA

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IN THE MATTER OF Qwest Corporation's) UTILITY DIVISION
Notification to Offer certain CLASS Features,)
AIN Features, Custom Calling Features,) DOCKET NO. D2006.3.39
Listings, and Packages as Not Regulated) ORDER NO. 6736b

PROTECTIVE ORDER

On October 25, 2006, Qwest Corporation (Qwest) filed before the Public Service Commission (Commission) a Motion for Protective Order to govern certain information to be provided pursuant to PSC data request. Qwest's Motion is proper in form, supported by an affidavit, and includes information as required by and in compliance with ARM 38.2.5007(3), and (4)(b)(i-vi). (But see Order section below regarding ARM 38.2.5007(3)(b).)

In its Motion Qwest requests protection for information necessary to respond to PSC data request 32. Specifically, that information is a list of "regular and stand-alone DSL Subscriptions and of VOIP Subscriptions in Montana." This information is requested at parts (a) and (b) of PSC DR 32 in this docket.

The Commission determines that Qwest has shown good and sufficient cause in fact and law that the information for which protection is requested is entitled to protection as trade secret pursuant to §§ 69-3-105 and 30-14-402, MCA.

ORDER

Now therefore, Qwest's request for a protective order covering 1) the annual number of Qwest Montana residential and business DSL subscriptions for the most recent calendar year; and 2) the number of stand-alone DSL offerings, distinguished from all other kinds of DSL offerings, separately for the residential and business classes, is granted. Information submitted in accordance with this Order will be "confidential

information" under the terms of this Order and Commission protective order rules, ARM 38.2.5001 through 38.2.5030. In future motions for protective orders Qwest is directed to comply with ARM 38.2.5007(3)(b) by clearly describing the information for which protection is requested.

DONE AND DATED this 14th day of November, 2006, by a vote of 5 to 0.

BY ORDER OF THE MONTANA PUBLIC SERVICE COMMISSION

GREG JERGESON, Chairman

BRAD MOLNAR, Vice Chairman

DOUG MOOD, Commissioner

ROBERT H. RANEY, Commissioner

THOMAS J. SCHNEIDER, Commissioner

ATTEST:

Connie Jones
Commission Secretary

(SEAL)

NOTE: Any interested party may request the Commission to reconsider this decision. A motion to reconsider must be filed within ten (10) days. See ARM 38.2.4806.

Montana Public Service Commission
Protective Orders and Protection of Confidential Information

Nondisclosure Agreement

(7-26-00)

ARM 38.2.5012

Docket No. D2006.3.39, Order No.6736b
Order Action Date: November 14, 2006

I understand that in my capacity as counsel or expert witness for a party to this proceeding before the commission, or as a person otherwise lawfully so entitled, I may be called upon to access, review, and analyze information which is protected as confidential information. I have reviewed ARM 38.2.5001 through 38.2.5030 (commission rules applicable to protection of confidential information) and protective orders governing the protected information that I am entitled to receive. I fully understand, and agree to comply with and be bound by, the terms and conditions thereof. I will neither use nor disclose confidential information except for lawful purposes in accordance with the governing protective order and ARM 38.2.5001 through 38.2.5030 so long as such information remains protected.

I understand that this nondisclosure agreement may be copied and distributed to any person having an interest in it and that it may be retained at the offices of the provider, commission, consumer counsel, any party and may be further and freely distributed.

Typed or Printed Name

Signature

Date of Signature

Business Address:

Employer

Party Represented